



Western States Petroleum Association
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Special Hearing

2/3/05

cc: BO, DI, DWQ

E-ops: BO, CC, Hms, TH,
Cmw

Steven Arita
Environmental Coordinator

February 18, 2005

Ms. Debbie Irvin, Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento CA 95812-0100

Re: Western States Petroleum Association's comments on the December 15, 2004 Draft
General Permit for Discharges of Storm Water Associated with Industrial Activities

Dear Ms. Irvin:

This letter and its attachments constitute the comments of the Western States Petroleum Association ("WSPA") regarding the proposed reissuance by the State Water Resources Control Board ("State Board") of its National Pollutant Discharge Elimination System ("NPDES") General Permit for Discharges of Storm Water Associated with Industrial Activities ("Industrial General Permit"), and in particular on the draft that was issued for public comment on December 15, 2004 ("2004 Draft Permit").

As indicated in its June 27, 2003 comments on an earlier draft of the Industrial General Permit (draft WQO No. 03-01-DWQ) and other submittals to the State Board, WSPA endorses the renewal and reissuance of the Industrial General Permit in the general form proposed in the 2004 Draft Permit. As explained in our comments below, WSPA believes that the continuing application of iterative Best Management Practices ("BMPs") constitutes the most appropriate and legally defensible strategy for regulation of storm water discharges. Accordingly, WSPA supports the basic approach to iterative BMPs embodied in this permit. However, we also believe that the 2004 Draft Permit, as drafted, requires some important clarifying revisions. Suggested language changes and certain technical issues are addressed in section 6 of this letter.

WSPA is a trade association comprised of companies engaged in the exploration, production, refining, marketing and transportation of petroleum and petroleum products in California and the western United States. WSPA members operate hundreds of facilities in California including petroleum refineries, bulk terminals, tank farms, retail service stations, oil and gas production fields, and pipeline distribution facilities which discharge storm water associated with these industrial operations. In most cases, these discharges are covered by the existing Industrial General Permit (WQO No. 97-03-DWQ) which requires the development and implementation of iterative BMPs to minimize pollutants in storm water runoff.